

CHAPTER NO. 247

SENATE BILL NO. 2053

By Kyle

Substituted for: House Bill No. 2023

By Fitzhugh

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3, relative to disclosure of confidential records.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 55, is amended by adding the following as a new section:

§ 4-3-55__. (a) If the council holds a meeting covered by the provisions of Title 8, Chapter 44, at which subject matter will be discussed that is not confidential and subject matter will be discussed that is confidential pursuant to § 10-7-504(i), the notice of such meeting required pursuant to § 8-44-103 shall specify that part of the meeting will be a public meeting open to the public and part of it will not be open to the public because of discussion of confidential subject matter.

(b) A meeting at which both subject matter open to the public and confidential subject matter will be discussed shall be conducted as follows:

(1) All business relating to subject matter that is public in nature shall be conducted first.


(2) At the conclusion of the meeting relating to subject matter that is public in nature, the chair shall announce that the public portion of the meeting is adjourned and that the remainder of the meeting will concern matters that are confidential pursuant to § 10-7-504(i). When everyone at the meeting who is not authorized to attend the confidential portion of the meeting has departed, the confidential portion of the meeting shall commence.

(c) Nothing in this section shall be construed as prohibiting the council from acting upon public matters and confidential matters at separate meetings if the council so desires.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 12, 2005


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 27th day of May 2005


PHIL BREDESEN, GOVERNOR